

**FOURTH AMENDMENT
TO
VOLUNTARY CLEANUP CONTRACT
03-5044-NRP**

**IN THE MATTER OF
CHARLESTON NAVAL BASE, CHARLESTON COUNTY
and
THE CITY OF NORTH CHARLESTON**

WHEREAS, on April 1, 2003, R. Keith Summey, Mayor of the City of North Charleston ("City"), signed Voluntary Cleanup Contract 03-5044-NRP (VCC); this contract initially addressed the transfer of the entire northern portion of the Charleston Naval Base [approximately seven hundred and twenty-five acres (725)] from the Charleston Naval Complex Redevelopment Authority ("RDA") to the City;

WHEREAS, the first amendment, dated February 10, 2004, to the VCC reduced the scope of the VCC to just that property that the City received on April 1, 2003, to approximately three hundred fifty (350) acres;

WHEREAS, the second amendment, dated August 26, 2004, corrected the property description for the property that was transferred to the City on April 1, 2003 to two hundred forty eight (248) acres, also known as the RDA Phase I and II conveyances;

WHEREAS, the third amendment, executed by the City on November 23, 2004, included the portion of the Charleston Naval Base that was conveyed from the RDA to the City on December 23, 2004 containing 80.151 acres, known as the RDA Phase III conveyance, which completed the transfer of the entire northern portion of the Charleston Naval Base [approximately seven hundred and twenty-five (725) acres] from the RDA to the City; and

WHEREAS, the City is now prepared to receive from the RDA another portion of the property, known as the McMillan Avenue Entrance, which was originally included in the Phase I conveyance from the Navy to the RDA but was not subsequently conveyed from the RDA to the City because of a potential reversionary interest held by the City of Charleston. This 40.182 parcel is now known as TMS 400-00-049. The supplemental information and certification as well as the legal description and map of the parcel for the RDA conveyance of this parcel are included in Appendix A.

WHEREAS, the parties hereto now desire to amend the VCC to include the 40.182 acre parcel known as the McMillan Avenue Entrance, as described on Appendix A, as part of the VCC and resulting benefits;

NOW THEREFORE IT IS AGREED, that the Voluntary Cleanup Contract 03-5044-NRP is hereby amended to include and address the additional 40.182 parcel known as the McMillan Avenue Entrance as described in Appendix A and identified as TMS #

400-00-00-049. All other terms and conditions of the Voluntary Cleanup Contract 03-5044-NRP not inconsistent with this Amendment shall remain in effect and the same.

**THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND
ENVIRONMENTAL CONTROL**

BY: _____

Robert W. King, Jr.
Robert W. King, Jr.
Deputy Commissioner
Environmental Quality Control

DATE: _____

4/5/05
Columbia, South Carolina

James A. Truesdale, P.E.
Hartsill W. Truesdale, P.E., Chief
Bureau of Land and Waste Management

DATE: _____

4/5/05

J. J. O. King
Approved by Legal Office

DATE: _____

4/4/05

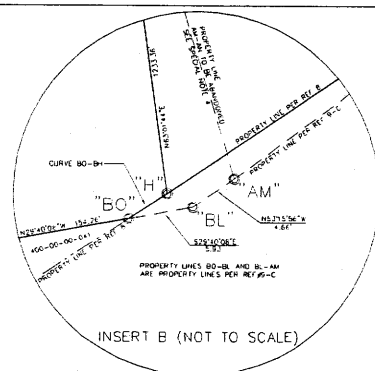
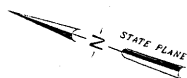
THE CITY OF NORTH CHARLESTON

R. Keith Summey
R. Keith Summey, Mayor

DATE: _____

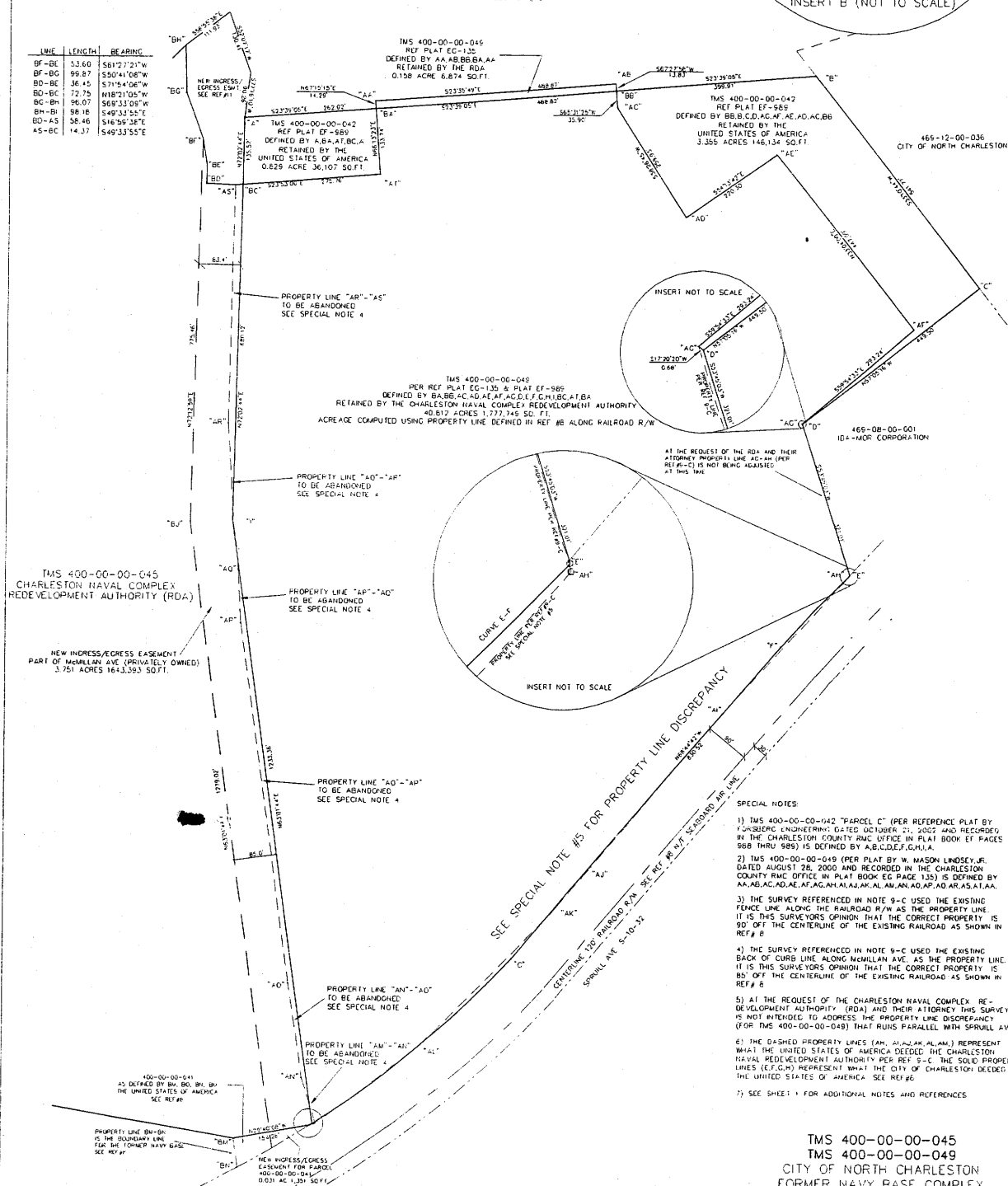
2-7-05

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BRNG	DELTA
E-F	198.13	2730.53	95.11	198.09	N66°16'45"W	4°09'24"
G-H	520.60	2153.62	261.58	519.34	S59°46'45"E	1°34'01"
HQ-BH	4.22	2153.62	2.11	4.22	S52°46'57"E	0°06'44"



TMS 400-00-00-041
THE UNITED STATES OF AMERICA
SEE REF # 8

LINE	LENGTH	BEARING
BF-BE	53.60	S61°27'21"W
BF-BG	99.87	S50°41'08"W
BD-BE	36.45	S71°54'06"W
BD-BG	72.75	N18°21'05"W
BG-BH	96.07	S69°33'09"W
BH-BI	98.18	S49°33'55"E
BD-AS	58.46	S16°59'35"E
AS-BG	14.37	S49°33'55"E



SPECIAL NOTES

- 1 THIS 400-000-0042 "PARCEL C" (PER REFERENCE PLAT BY
2 FARMERS ENGINEERING; DATED OCTOBER 27, 2007 AND RECORDED
3 IN PUBLIC RECORD BOOK 100 OF PAGE 588 THRU 589) IS
4 589 THRU 589) IS DEFINED BY A.C.E.D.F.G.H.I.J.K.L.M.
5 THIS 400-000-0048 (PER PLAT BY W. NATION INDEVELOP;
6 DATED OCTOBER 27, 2007 AND RECORDED IN PUBLIC RECORD
7 COUNTY REC. OFFICE IN PLAT BOOK E-6 PAGE 123) IS DEFINED BY
8 A.M.N.A.B.C.D.E.F.G.H.I.J.K.L.M.N.O.P.Q.R.S.T.U.V.W.X.Y.Z.A.A.
9 THE SURVEY REFERENCED IN NOTE 9-G-USING THE EXISTING
10 RAILROAD AS A BOUNDARY LINE IS THE PROPERTY LINE. IT IS
11 THE SURVEYORS OPINION THAT THE CORRECT PROPERTY LINE IS
12 900 FT. THE CENTERLINE OF THE EXISTING RAILROAD AS SHOWN IN
13 REF # 8
14 THE SURVEY REFERENCED IN NOTE 9-G-USING THE EXISTING
15 BANK OF CURB LINE ALONG NECHANIAN AVE. AS THE PROPERTY LINE
16 IT IS THE SURVEYORS OPINION THAT THE CORRECT PROPERTY LINE IS
17 85 FT. THE CENTERLINE OF THE EXISTING RAILROAD AS SHOWN IN
18 REF # 8
19 AT THE REQUEST OF THE CHARLESTON NAVAL COMPLEX, RE-
20 FERENCE AUTHORITY (CNA) AND THEIR ATTORNEY THE SURVEY IS
21 NOT INTENDED TO ADDRESS THE PROPERTY LINE DISCREPANCY
22 (FOR THE 400-000-0048) THAT RUNS PARALLEL WITH SPRUILL AVE.
23 THE DASHED PROPERTY LINES (AN. A.M.N.O.P.Q.R.S.T.U.V.W.X.Y.Z.A.A.) REPRESENT
24 THE PROPERTY LINE DISCREPANCY. THE SURVEY IS THE PROPERTY LINE
25 THE NAVAL DEVELOPMENT AUTHORITY (PER A.C.E.D.F.G.H.I.J.K.L.M.N.O.P.Q.R.S.T.U.V.W.X.Y.Z.A.A.)
26 THE CHARLESTON DECEDED THE UNITED STATES OF AMERICA. SEE REFERENCE

TMS 400-00-00-045
TMS 400-00-00-049
CITY OF NORTH CHARLESTON
FORMER NAVY BASE COMPLEX
CHARLESTON COUNTY SOUTH CAROLINA
SCALE 1"=100' JANUARY 27, 2003
SHEET 2 OF 2

REVISED March 18, 2001

JOE 3061-

**FORSBERG ENGINEERING
AND SURVEYING, INC.**
1587 SAVANNAH HIGHWAY SUITE B
P.O. BOX 30878
CHARLESTON, SOUTH CAROLINA 29417
(843) 571-3822 FAX (843) 571-6780
CIVIL ENGINEERING, SURVEYING
AND LAND PLANNING

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN.

LEWIS SMITH MOORE, F. L. S. No. 2162

GRAPHIC SCALE



(IN FEET)
1 inch = 100

